PTO/SB/05 (08-00)

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UTILITY
PATENT APPLICATION
TRANSMITTAL

YOR9-2000-0680US1 (8728 Attorney Docket No.

Mikalsen First Inventor

Conly for new nonprovisional applications under 37 CFR 1.53(a)   Express Mail Label No.   ELT-57868367US		TRANSMITTAL	Title	SYSTE	<u>M AND METHO</u>				
APPLICATION ELEMENTS  See MPEP chapter 600 concerning utility patient application contents  1.	ק ק	(Only for new nonprovisional applications under 37 CFR 1.53(b))	Expre:	ss Mail L					
See MFEP chapter 600 concerning lump patient approximation to treat.   Total Pages		APPLICATION ELEMENTS	AD	DRES	S TO: Box Pa	tent.	Applicatio 4 6 1	n	ents
Computer Program Appendix  Computer Program Appendix  Repeator CFR 127.  See 37 CFR 127.  S	S	ee MPEP chapter 600 concerning utility patent application contents.		T CD-		_			;
Applicant claims small entity status.  Seed 7 CFR 1.27.  Total Pages 29   1   1   1   1   1   1   1   1   1	١	Fee Transmittal Form (e.g., PTO/SB/17)  (Submit an original and a duplicate for fee processing)		Con	nouter Program (Ar	ppend	dix)		
3.	۱.	Applicant claims small entity status.	8. N	lucleotide	and/or Amino Acid	Seq	luence Su	noissimd	
Descriptive tile of the invention	1		(			Form	(CRF)		ł
- Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appentix - Background of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure  4.	3	A (preferred arrangement set forth below)	а.		•				Ì
- Statement Regarding Fed sponsored R & U Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure  4. [X] Drawing(s) (35 U.S.C. 113) [ Total Sheets [ ] ] 5. Oath or Declaration - Total Pages [ ] ]  1. [ Drawing(s) (35 U.S.C. 113) [ Total Pages [ ] ]  2. [ Newly executed (original or copy) - Boundary (for continuation/divisional with Box 17 completed) - Li [ DELETION OF INVENTOR(s) ) - Signed statement attached deleting inventor(s) - named in the prior application, see 37 CFR 1.76 - Application Data Sheet See 37 CFR 1.76 - Continuation   Divisional   Divisional   Continuation-in-part (CIP) - Provisional   Divisional   Continuation information   Divisional   Continuation   Divisional   D	1	Cross Reference to Related Applications	D.					r	
or a computer program listing appendix Background of the Invention Brief Description of the Drawings (if filed) Detailed Description Claim(s) Claim(s) Chair(s) Drawing(s) (35 U.S.C. 113)	١	- Statement Regarding Fed sponsored R & D				` (2 '	оор.оо,, о		
- Background of the Invention - Brief Summary of the Invention - Brief Summary of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure  4. [X] Drawing(s) (35 U.S.C. 113) [ Total Sheets	1	- Reference to sequence listing, a table,				idar	atiby of abo	ove conies	
- Brief Description of the Urawings (ir med) - Detailed Description - Claim(s) - Abstract of the Disclosure  4.	١	- Background of the Invention	, ,						
- Detailed Description - Claim(s) - Claim(s) - Abstract of the Disclosure  4.	1	<ul> <li>Brief Summary of the Invention</li> <li>Brief Description of the Drawings (if filed)</li> </ul>	<u> </u>						
- Claim(s) - Abstract of the Disclosure  4.	1	- Detailed Description	9					documen	of
4. X Drawing(s) (35 U.S.C. 113) [Total Sheets 12]   11. English Translation Document (if applicable)   15. Oath or Declaration   [Total Pages 2]   12. Information Disclosure   Copies of IDS   12. Information Disclosure   Statement (IDS)PTO-1449   Citations   13. Preliminary Amendment   14. X Return Receipt Postcard (MPEP 503)   13. Preliminary Amendment   14. X Return Receipt Postcard (MPEP 503)   15. Oath or continuation/divisional with Box 17 completed   14. X Return Receipt Postcard (MPEP 503)   15. Oath or specifically itemized   15. Oath or continuation Data Sheet and a specifically itemized   15. Oath or continuation Data Sheet under 37 CFR 1.76   16. Application Data Sheet under 37 CFR 1.76   17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76   Other: Attorney.	1	- Claim(s)	10	). \begin{align*} 37 \\ \( \text{\tin}\ext{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\tinte\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\texi{\text{\tinte\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\texi{\text{\texi{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\tinit}\\ \tinttitex{\tinitht{\text{\text{\text{\tinit}\\ \text{\tinitht{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\tinit}\\ \tinithtt{\text{\text{\text{\text{\text{\text{\text{\text{\texi}\text{\text{\text{\text{\texi}\text{\text{\texi}\text{\text{\texi}\text{\text{\texi}\text{\texitit{\text{\text{\texi}\text{\text{\texi}\text{\texi{\texi{\ti}\text{\texi{\texi{\texi}\text{\texi}\texi{\texi{\texi{\texi}\tint{\tiint{\texit{\texi{\texi{\texi}\texi{\texi{\texi}\t	r CFR 3.73(b) Stati then them is an as	emer siane	ee) X		
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a. Lewy from a prior application (37 CFR 1.63 (d)) b. (for continuation/divisional with Box 17 completed) i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(y(2) and 1.33(b). 6. Application Data Sheet. See 37 CFR 1.76  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.  18. CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under 35, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference 30 to 35, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference 30 to 35, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference 30 to 35, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference 30 to 35, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference 30 to 35, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference 30 to 35	١	5. Oath or Declaration [Total Pages 2]	1:	2. 🔲 🖁	tatement (IDS)/PT	0-14	49 └─	→ Citation	ıs
b. Copy from a prior application (37 CFR 1.03 (g) (for combinuation/divisional with Box 17 completed)  i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(g)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:    Continuation   Divisional   Continuation-in-part (CIP)   Of prior application information   Continuation   Continuati	١	a Y Newly executed (original or copy)	1						}
1.63(d)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:    Continuation   Divisional   Continuation-in-part (CIP)   Of prior application No:		b. Copy from a prior application (37 CFR 1.63 (d)) b. (for continuation/divisional with Box 17 completed)	1	ى لئا ٩٠	Should be specifica	ally iti	emizea)		
1.63(d)(2) and 1.33(b).  6. Application Data Sheet. See 37 CFR 1.76  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:    Continuation   Divisional   Continuation-in-part (CIP)   Of prior application No:	١	i. DELETION OF INVENTOR(S)	1	5.	Certified Copy of Professional Community is	riorit claii	y Docume med)	ent(s)	1
Application Data Sheet. See 37 CFR 1.76  17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:    Continuation   Divisional   Continuation-in-part (CIP)   of prior application No:	1	named in the prior application, see 37 CFR		6. TT '	( )IDAC				
17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:    Continuation	١	1.63(d)(2) and 1.33(b).	1	(	Atto	rne	y		
or in an Application Data Sheet Under 37 CPR 17.0.    Continuation   Divisional   Continuation-In-part (CIP)   Of prior application No	1	6. Application Data Sheet. See 37 CFR 1.76			-formation balow s	end ii	n a nælim	inary ame	ndment.
Frank Chau, Esq.  Frank Chau,		or in an Application Data Sheet under 37 GFR 1.76.		of prior	application No.:		/_		
The Incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  18. CORRESPONDENCE ADDRESS  18. CORRESPONDENCE ADDRESS  Or Correspondence address below  Frank Chau, Esq.  F. CHAU & ASSOCIATES, LLP  Address  1900 Hempstead Turnpike, Suite 501  East Meadow  State New York  Country  USA  Telephone 516-357-0091  Frank Chau  Registration No. (Attorney/Agent)  34,136	ł	Prior application information: Examiner						a la supoli	led under
Name  Frank Chau, Esq.  F. CHAU & ASSOCIATES, LLP  Address  City  East Meadow  State New York  Country  Frank Chau		For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of Box 5b, is considered a part of the disclosure of the accompanying continuation can only be relied upon when a portion has been ina-	of the prior itinuation of dvertently	application or division on itted fro	n, from which an oa al application and is m the submitted ap	here plicat	by Incorporation parts.	orated by r	eference.
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F. CHAU & ASSOCIATES, LLP   1900   Hempstead Turnpike, Suite 501		Customer Number or Bar Code Label	ch ber code	abel here)	or $\square$	Come	espondence a	address belov	ν
F. CHAU & ASSOCIATES, LLP   1900 Hempstead Turnpike, Suite 501   East Meadow   State   New York   Zip Code   11554   City   USA   Telephone   516-357-0091   Fax   516-357-0   Frank Chau   Registration No. (Attorney/Agent)   34,136   34,136   Country   Chau		Name Frank Chau, Esq.							
Address         1900 Hempstead Turnpike, Suite 501           City         East Meadow         State         New York         Zip Code         11554           Country         USA         Telephone         516-357-0091         Fax         516-357-0		F. CHAU & ASSOCIATES	, LLP						
City         East 'Meadow         State         New York         Zip Code         11554           Country         USA         Telephone         516-357-0091         Fax         516-357-0           Frank Chau         Registration No. (Attorney/Agent)         34,136		1000 Hompstoad Turns	ike, S	Suițe	501	<del></del>		14455	- 4
Country USA Telephone \$16-357-0091   Fax   1516-357-0		Fast Meadow	Sta	<sub>te</sub> Ne	w York	;	Zip Code	115	04
Frank Chau Registration No. (Attorney/Agent) 34,136		LICA	Telepho	ne <u>516</u>	-357-0091		Fax	516-3	357-009
		Frank Chau		Registra	ation No. (Attorne	ey/A	gent)	34,13	6
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Assistant Commissioner for Patents Washington, D.C. 20231 Sir:

ATTORNEY DOCKET: YOR9-2000-0680US1 (8728-452)

Date: January 22, 2001

Express Mail el: EL757868367US Date of Depo January 22, 2001

Transmitted herewith for filing is the Patent Application of:

Thomas Mikalsen, Isabelle Rouvellou, Stanley Sutton, Stefan Tai

For: SYSTEM AND METHOD FOR GROUPING DIVERSE OPERATION

Enclosed are: [X] 20 sheets of specification; [X] 1 sheet(s) of Abstract; [X] 8 sheet(s) of claims; [X] 12 sheet(s) of drawing(s);

- An assignment of the invention to: International Business Machines Corporation, Armonk, [X]New York, with Recordation Form.
- [X] Declaration and Power of Attorney.
- A certified copy of a \_\_\_\_\_ application, from which priority under Title 35 USC §119 is claimed.
- [X] Associate Power of Attorney.

The filing fee has been calculated as shown below:

(Col. 1)

(Col. 2)

OTHER THAN A SMALL ENTITY

R:	NO. FILED	NO. EXTRA		RATE FEE	
SIC FEE					\$710.00
TAL CLAIMS	49-20 =	29		X \$18 =	522.00
DEP CLAIMS	3-3 =	0		X \$80 =	0
MULTIPLE DEF	ENDENT CLAIM	IS PRESENTED	]	+ 270 =	
the difference in Col. 1 is less			_	TOTAL	\$1,232.00

In the difference in Col. 1 is than zero, enter "0" in Col. 2.

FOR:

BASIC FEE

TOTAL CLAIMS

INDEP CLAIMS

A check in the amount of \$\_\_\_\_ to cover the [ ] filing fee(s), [ ] recording fee is enclosed.

Please charge my Deposit Account No. 50-0510/IBM (Yorktown Heights) in the amount of \$1,232.00.

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i.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights). A duplicate copy of this sheet is enclosed.

- Any additional filing fees required under 37 CFR 1.16. [X]
- [X] Any patent application processing fees under 35 CFR 1.17.

Respectfully submitted,

By:

Registration No. 34,136

Please address all correspondence to:

F. CHAU & ASSOCIATES, LLP

1900 Hempstead Tpke., Suite 501

East Meadow, NY 11554

Tel: (516) 357-0091

Fax: (516) 357-0092

Attorney for:

IBM Corporation

Intellectual Property Law Dept.

P.O. Box 218

Yorktown Heights, NY 10598

CERTIFICATION UNDER 37 C.F.R. §1.10

Frank Chau

I hereby certify that this Application transmittal and documents referred to as enclosed are being deposited with the United States Postal Service on this date January 22, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL757868367US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Name (Print/Type)

Signature

Frank Chau

:::

357-0091

(516)

Telephone

Date

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## FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 1,272.00

Complete if Known				
Application Number				
Filing Date	January 22, 2001			
First Named Inventor	Mikalsen			
Examiner Name				
Group Art Unit				
Attorney Docket No.	YOR9-2000-0680US1 (8728-452)			

METHOD OF PAYMENT	FEE CALCULATION (continued)					
The Commissioner is hereby authorized to charge	3. ADDITIONAL FEES					
1. A indicated fees and credit any overpayments to:	Large Entity Small Entity Fee	Fee Paid				
Deposit Account 50-0510/IBM	Code (\$) Code (\$)					
Number	105 130 205 65 Surcharge - late filing fee or oath					
Deposit Account Name IBM/Yorktown Heights	127 50 227 25 Surcharge - late provisional filing fee or cover sheet					
Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	139 130 139 130 Non-English specification					
Applicant claims small entity status	147 2,520 147 2,520 For filing a request for ex parte reexamination					
See 37 CFR 1.27	112 920* 112 920* Requesting publication of SIR prior to Examiner action					
2. Payment Enclosed:  Check Credit card Money Other	113 1,840* 113 1,840* Requesting publication of SIR after Examiner action					
CHECK CALCULATION	115 110 215 55 Extension for reply within first month					
FEE CALCULATION	116 390 216 195 Extension for reply within second month					
1. BASIC FILING FEE	117 890 217 445 Extension for reply within third month					
Large Entity Small Entity Fee Fee Fee Fee Description	118 1,390 218 695 Extension for reply within fourth month					
Code (\$) Code (\$) Fee Paid	128 1,890 228 945 Extension for reply within fifth month					
101 710 201 355 Utility filing fee 710	119 310 219 155 Notice of Appeal .					
106 320 206 160 Design filing fee	120 310 220 155 Filing a brief in support of an appeal					
107 490 207 245 Plant filing fee 108 710 208 355 Reissue filing fee	121 270 221 135 Request for oral hearing					
114 150 214 75 Provisional filing fee	138 1,510 138 1,510 Petition to institute a public use proceeding					
	140 110 240 55 Petition to revive - unavoidable					
SUBTOTAL (1) (\$) 710.00	141 1,240 241 620 Petition to revive - unintentional					
2. EXTRA CLAIM FEES	142 1,240 242 620 Utility issue fee (or reissue)					
Fee from Extra Claims below Fee Paid						
Total Claims 49 -20" = 29 x 18 = 522	144 600 244 300 Plant issue fee					
Independent 3 - 3" = 0 x 80 = 0	122 130 122 130 Petitions to the Commissioner					
Multiple Dependent 270 =	123 50 123 50 Petitions related to provisional applications					
1 -	126 240 126 240 Submission of Information Disclosure Stmt					
Large Entity Small Entity Fee Fee Fee Fee Fee Description	581 40 581 40 Recording each patent assignment per property (times number of properties)	40				
Code (\$) Code (\$) 103 18 203 9 Claims in excess of 20	146 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))					
102 80 202 40 Independent claims in excess of 3	149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))					
104 270 204 135 Multiple dependent claim, if not paid 109 80 209 40 ** Reissue independent claims	A discussion (DCE)					
109 80 209 40 ** Reissue independent claims over original patent						
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	169 900 169 900 Request for expedited examination of a design application					
SUBTOTAL (2) (\$) 522.00	Other fee (specify)					
000101742/27	Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)40	.00				
•*or number previously paid, if greater; For Reissues, see above	Treasure by David I may					
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Registration No.

(Attorney/Agent)

34,136